Dear Participant in the 2004 Whiting fishery:

This letter summarizes a recent Pacific Fishery Management Council's (Council) recommendation regarding the incidental catch of canary rockfish in the primary whiting fishery. Please feel free to pass this letter on to other vessel operators or crew that will be fishing in your fleet.

Canary Rockfish

Canary rockfish was declared overfished on January 4, 2000 (65 FR 221) because the stock was estimated to be smaller than 25 percent of its unfished biomass. The coastwide stock assessment conducted in 2002 estimated that the canary rockfish population was at 8 percent of its unfished biomass. As a result, a canary rockfish rebuilding plan, which defines rebuilding parameters such as the target year for rebuilding and a harvest control rule for calculating the optimum yield (OY), was adopted into regulation in early 2004 (April 13, 2004, 69 FR 19347). In accordance with the newly adopted rebuilding plan, the coastwide OY for canary rockfish was set very low for 2004 at 47.3 metric tons (mt).

2004 Catch Projections

NMFS made catch projections for all West Coast groundfish fisheries before the start of the 2004 fishing year to determine if the Council's preferred management measures would keep harvests of overfished species within their OYs. These projections included incidental catch estimates of overfished species by the various commercial and recreational directed groundfish fisheries, the tribal fisheries, non-groundfish fisheries, and research activities. NMFS has modified and updated these estimates of overfished species total catch as new 2004 data have become available. The total projected catch of canary rockfish for the 2004 primary whiting fishery is 7.3 mt (0.9 for non-tribal motherships, 1.3 for catcher processors, 0.4 for shoreside and 4.7 for the tribes).

Before to the start of the 2004 primary whiting fisheries, fishers were asked to take measures to avoid catching overfished species, including canary rockfish. During the early season shore-based fishery off California and the first 2 weeks of the at-sea catcher-processor and mothership fisheries, the incidental catch of canary rockfish was relatively low. However, in early June a single tow taken from the Heceta Bank area by a vessel in the mothership sector was estimated to contain 3.9 mt of canary rockfish. This single haul exceeded the 0.9 mt total catch projection for the mothership sector. As of June 9, 2004, the total catch estimate for canary rockfish in the catcher-processor and non-tribal mothership sector was 4.2 mt, as compared to the projected 2.2 mt. Through June 9, 2004, only 35% of the whiting allocation for theses two at-sea sectors had been taken. As of June 22, the primary season is open for all sectors of the whiting fishery. However, outside of the coastwide shore-based fishery, there is only one catcher-processor and the tribal mothership actively engaged in fishing.

Council Recommendation and NMFS Action

In response to the elevated catches of canary rockfish, the Council requested that NMFS develop an emergency rule that allows an individual sector of the primary whiting fishery to be closed if the canary rockfish impacts are projected to reach 7.3 mt. Therefore, NMFS intends to publish by July 1, 2004, an emergency rule that establishes routine management measure authority, under the Pacific Coast Groundfish Fishery Management Plan, to close the Pacific whiting primary season fisheries by sector before the sector's whiting allocation is reached, to minimize impacts on overfished species. The intended effect of the emergency action is to provide for a fast response time if there is concern that the incidental catch of an overfished species is likely to result in the OY for that species being exceeded.

In addition to the Council's recommendation that NMFS establish routine management measure authority to close the Pacific whiting primary season fisheries to minimize the impacts on overfished species, the Council also recommended asking that whiting vessels voluntarily avoid areas of known high canary rockfish bycatch. This recommendation applies to all sectors of the whiting fishery.

Voluntarily Avoidance of Known Canary Rockfish Bycatch Areas

Following the Council's June meeting, commercial whiting fishery data, NMFS trawl survey information, Washington State exempted fishing permit data findings, and other NMFS submersible research data were compiled in an effort to identify areas of where high canary rockfish bycatch is likely. The enclosed maps were compiled from these data. These maps are being made available to whiting fishery participants as a tool for identifying geographic locations that could be considered as areas of known high canary rockfish bycatch. The following information is an interpretation of enclosed maps and other data that were available.

- As you will see from the enclosed maps, there are areas of high canary bycatch that have persisted through time. The large circles identify where high bycatch rates have occurred. Although any individual tow may not catch a large amount of canary rockfish, the areas identified by large circles are considered to have a higher probability of encountering a single tow with a substantial catch of canary rockfish. It is recommended that you avoid these areas.

- The combination of being between 100-200m (54-109 fm) and being in the vicinity of a canyon or hard bottom spot increases the risk of encountering a single tow with high bycatch of canary rockfish and should therefore be avoided.

- Data indicate that the whiting catch per hour is not significantly less outside of the 100-200m zone, so avoiding these areas may not result in changes in the amount of your fishing effort.

- Though canary rockfish movement and behavior is not well understood, it is generally assumed that canary rockfish stay near the bottom and may move from one location to another over a long period of time. They may also move short distances within the water column over a brief period of time. Because it is generally understood that canary tend to be near the bottom, to the extent possible, nets should be kept well away from the ocean floor.

- Specific areas to be avoided are not defined for you. Rather we are asking that you use your best judgment and decision making while fishing to avoid incidental catch of canary. Your knowledge of fish distribution and ocean conditions combined with these fishery level maps should give you the best information available to help keep the whiting fishery operating for the remainder of the season.

It is our expectation that participants will keep the best interest of their fishery in mind during the remainder of the primary whiting season and will modify fishing locations and timing choices to avoid the catch of canary rockfish. We realize that some of these high bycatch areas are fairly close to whiting processing facilities. Your efforts to avoid known areas of high canary abundance are appreciated. Following the completion of the 2004 primary whiting season for each sector, NMFS intends to use VMS position data to assess the effectiveness of these voluntary avoidance measures with hopes that voluntary avoidance can be used in the future if needed. Your efforts to avoid areas of high canary abundance are appreciated. If you have further questions, please contact Becky Renko at 206-526-6110.

Sincerely,

Stephen P. Freese
Sustainable Fisheries

cc: F/SWR – Fougner; GCNW – Cooney; F/NWR – Scordino, Schumacher; Goen, Burden, Nordeen, deReyeiner, F/NWC - Clarke, Hastie, Tuttle; F/EN5- Nomura, Mathews, Albert; ODFW- Burke, Saelens, Parker; WDFW- Anderson, Robinson; CDFG - Vojkovich, Ashcraft, Fukushima.